

O I P E
JAN 0 6 2005
PATENT & TRADEMARK OFFICE

AF/2662
EFW

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
01070065AA

In Re Application of **M. Yoshimura**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/537,775	3/29/00	Tsegaye, S.	30743	2662	7267

Title: **Protection Switching Method and Apparatus for Passive Optical Network**

COMMISSIONER FOR PATENTS:

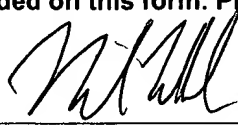
Transmitted herewith is:

Combined Notice of Appeal and Petition for Extension of Time
Check \$840.00
Postcard

in the above identified application.

- ☐ No additional fee is required.
- ☒ A check in the amount of **\$840.00** is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **50-2041** as described below.
- ☐ Charge the amount of
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Dated: **Jan. 6, 2004**

Michael E. Whitham
Reg. No. 32,635

Whitham, Curtis & Christofferson, PC
11491 Sunset Hills Road - #340
Reston, VA 20190
Customer No. 30743

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CC:

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
01070065AA

In Re Application Of: **M. Yoshimura**

Application No.
09/537,775

Filing Date
3/29/00

Examiner
Tsegaye, S.

Customer No.
30743

Group Art Unit
2662

Confirmation No.
7267

Invention: **Protection Switching Method and Apparatus for Passive Optical Network**

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of

8/6/04
Date in the above-identified application.

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **8/6/04** finally rejecting Claim(s) **1-4, 6-21, and 23-30.**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: **11/7/04** until: **1/6/05**
Date Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal	\$500.00
Fee for Extension of Time (2 months)	\$450.00
Total	\$950.00
Minus a 1 month extension fee paid 12/2/04	- \$110.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME **\$840.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☒ A check in the amount of **\$840.00** for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. _____ in the amount of _____

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **50-2041**

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-2041**

☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

01/07/2005 ZJUHAR1 00000024 09537775

01 FC:1401 500.00 OP
02 FC:1252 340.00 OP

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**

Docket No.
01070065AA

In Re Application Of: **M. Yoshimura**

Application No. 09/537,775	Filing Date 3/29/00	Examiner Tsegaye, S.	Customer No. 30743	Group Art Unit 2662	Confirmation No. 7267
--------------------------------------	-------------------------------	--------------------------------	------------------------------	-------------------------------	---------------------------------

Invention: **Protection Switching Method and Apparatus for Passive Optical Network**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: **Jan. 6, 2005**

Michael E. Whitham
Reg. No. 32,635

Whitham, Curtis & Christofferson, PC
11491 Sunset Hills Road - #340
Reston, VA 20190
Customer No. 30743

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax no. _____) on _____ (Date) _____ <i>Signature</i> _____ <i>Typed or Printed Name of Person Signing Certificate</i>
--

***This certificate may only be used if paying by deposit account.**

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on _____ (Date) _____ <i>Signature of Person Mailing Correspondence</i> _____ <i>Typed or Printed Name of Person Mailing Correspondence</i>

CC: